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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/578,415

05/05/2006

Andrew Thomas Busey

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EXAMINER

RUBIN, BLAKE J

ART UNIT

PAPER NUMBER

4152

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/578,415	<b>Applicant(s)</b> BUSEY, ANDREW THOMAS	
	<b>Examiner</b> BLAKE RUBIN	<b>Art Unit</b> 4152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on May 5, 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/5/06</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to communications filed May 5, 2006.
2. This application claims priority, under 35 U.S.C. 371, to PCT/US05/13068, which claims priority to provisional applications 60/563,705, 60/563,706, 60/563,719, 60/563,713, and 60/563,615, all of which were filed on April 20, 2004.

### ***Specification***

3. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a

nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

4. The specification is objected to for failing to include: (f) Background of the Invention and (g) Brief Summary of the Invention.
5. The disclosure is objected to because of the following informalities:
  - a. Page 8, paragraph 4, line 2, contains successive commas.
  - b. Page 13, paragraph 5, should begin, "For either type..."
  - c. Page 16, paragraph 1, line 4 should read, "Accordingly, the number of..."
6. Appropriate correction is required.
7. The disclosure is objected to because page 2, lines 4, 6, 8, and 11, include information that need updating.

### ***Drawings***

8. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Reference "112" on page 4, paragraph 4, lines 6.
9. The drawings are objected to because Figures 6B, and 6C contain descriptive elements without corresponding reference characters.
10. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate

prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**12. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhang (US Patent No. 6,865,599).**

13. With respect to claim 1, Zhang discloses a method performed by at least one first information handling system of a user (column 4, lines 1-2), the method comprising: receiving an excerpt of information associated with the user (column 9, lines 3-4); in response to the excerpt, automatically translating the excerpt into an XML format (column 9, lines 5-6), so that the translated excerpt is compatible for operation (column

9, lines 13-15) with at least one second information handling system of the user (column 9, lines 10-12); and synchronizing the translated excerpt with the second information handling system (column 9, lines 10-12).

14. With respect to claim 2, Zhang discloses the method of claim 1, wherein the excerpt has a non-XML format (column 8, lines 22-24), and wherein automatically translating (column 8, lines 24-26) comprises: in response to the excerpt, automatically translating the excerpt from the non-XML format into the XML format (column 8, lines 24-26), so that the translated excerpt is compatible for operation with the second information handling system (column 9, lines 13-15).

15. With respect to claim 3, Zhang discloses the method of claim 1, wherein the excerpt has an alternate XML format (column 8, lines 28-30), and wherein automatically translating (column 8, lines 52-54) comprises: in response to the excerpt, automatically translating the excerpt from the alternate XML format into a generic XML format (column 8, lines 28-30, and 52-54; *whereby the XPointer, the alternate XML format, is translated to a generic XML format, similarly to the DOM Event Model for cross platform exchange*), so that the translated excerpt is compatible for operation with the second information handling system (column 9, lines 13-15).

16. With respect to claim 4, Zhang discloses the method of claim 1, and comprising: saving the XML-formatted excerpt (column 7, lines 36-37) in a personal folder of the user (column 31, lines 18-21).

17. With respect to claim 5, Zhang discloses the method of claim 1, wherein the XML-formatted excerpt (column 7, lines 36-37) is a user-specified website (column 6, lines 27-29).

18. With respect to claim 6, Zhang discloses the method of claim 1, wherein the XML-formatted excerpt (column 7, lines 36-37) is a user-specified search query (Figure 26).

19. With respect to claim 7, Zhang discloses the method of claim 1, wherein the XML-formatted information (column 7, lines 36-37) is a user-specified search result (Figure 26).

20. With respect to claim 8, Zhang discloses the method of claim 1, wherein the XML-formatted information (column 7, lines 36-37) is a user-specified item of music (column 5, lines 13-17).

21. With respect to claim 9, Zhang discloses a system, comprising: at least one first information handling system of a user (column 4, lines 1-2) for: receiving an excerpt of

information associated with the user (column 9, lines 3-4); in response to the excerpt, automatically translating the excerpt into an XML format (column 9, lines 5-6), so that the translated excerpt is compatible for operation (column 9, lines 13-15) with at least one second information handling system of the user (column 9, lines 10-12); and synchronizing the translated excerpt with the second information handling system (column 9, lines 10-12).

22. With respect to claim 10, Zhang discloses the system of claim 9, wherein the excerpt has a non-XML format (column 8, lines 22-24), and wherein the first information handling system is for: in response to the excerpt, automatically translating (column 8, lines 24-26) the excerpt from the non-XML format into the XML format (column 8, lines 24-26), so that the translated excerpt is compatible for operation with the second information handling system (column 9, lines 13-15).

23. With respect to claim 11, Zhang discloses the system of claim 9, wherein the excerpt has an alternate XML format (column 8, lines 28-30), and wherein the first information handling system is for: in response to the excerpt, automatically translating (column 8, lines 52-54) the excerpt from the alternate XML format into a generic XML format (column 8, lines 28-30, and 52-54; *whereby the XPointer, the alternate XML format, is translated to a generic XML format, similarly to the DOM Event Model for cross platform exchange*), so that the translated excerpt is compatible for operation with the second information handling system (column 9, lines 13-15).



24. With respect to claim 12, Zhang discloses the system of claim 9, and wherein the first information handling system is for: saving the XML-formatted excerpt (column 7, lines 36-37) in a personal folder of the user (column 31, lines 18-21).

25. With respect to claim 13, Zhang discloses the system of claim 9, wherein the XML-formatted excerpt (column 7, lines 36-37) is a user-specified website (column 6, lines 27-29).

26. With respect to claim 14, Zhang discloses the system of claim 9, wherein the XML-formatted excerpt (column 7, lines 36-37) is a user-specified search query (Figure 26).

27. With respect to claim 15, Zhang discloses the system of claim 9, wherein the XML-formatted information (column 7, lines 36-37) is a user-specified search result (Figure 26).

28. With respect to claim 16, Zhang discloses the system of claim 9, wherein the XML-formatted information (column 7, lines 36-37) is a user-specified item of music (column 5, lines 13-17).

29. With respect to claim 17, Zhang discloses a computer program product, comprising: at least one computer program processable by at least one first information handling system of a user (column 4, lines 1-2) for causing the first information handling system to: receive an excerpt of information associated with the user (column 9, lines 3-4); in response to the excerpt, automatically translate the excerpt into an XML format (column 9, lines 5-6), so that the translated excerpt is compatible for operation (column 9, lines 13-15) with at least one second information handling system of the user (column 9, lines 10-12); and synchronize the translated excerpt with the second information handling system (column 9, lines 10-12); and apparatus from which the computer program is accessible by the first information handling system (column 4, lines 1-2).

30. With respect to claim 18, Zhang discloses the computer program product of claim 17, wherein the excerpt has a non-XML format (column 8, lines 22-24), and wherein the computer program is processable by the first information handling system for causing the first information handling system to: in response to the excerpt, automatically translate the excerpt (column 8, lines 24-26) from the non-XML format into the XML format (column 8, lines 24-26), so that the translated excerpt is compatible for operation with the second information handling system (column 9, lines 13-15).

31. With respect to claim 19, Zhang discloses the computer program product of claim 17, wherein the excerpt has an alternate XML format (column 8, lines 28-30), and wherein the computer program is processable by the first information handling system

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for causing the first information handling system to: in response to the excerpt, automatically translate (column 8, lines 52-54) the excerpt from the alternate XML format into a generic XML format (column 8, lines 28-30, and 52-54; *whereby the XPointer, the alternate XML format, is translated to a generic XML format, similarly to the DOM Event Model for cross platform exchange*), so that the translated excerpt is compatible for operation with the second information handling system (column 9, lines 13-15).

32. With respect to claim 20, Zhang discloses the computer program product of claim 17, wherein the computer program is processable by the first information handling system for causing the first information handling system to: save the XML-formatted excerpt (column 7, lines 36-37) in a personal folder of the user (column 31, lines 18-21).

33. With respect to claim 21, Zhang discloses the computer program product of claim 17, wherein the XML-formatted excerpt (column 7, lines 36-37) is a user-specified website (column 6, lines 27-29).

34. With respect to claim 22, Zhang discloses the computer program product of claim 17, wherein the XML-formatted excerpt (column 7, lines 36-37) is a user-specified search query (Figure 26).

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35. With respect to claim 23, Zhang discloses the computer program product of claim 17, wherein the XML-formatted (column 7, lines 36-37) information is a user-specified search result (Figure 26).

36. With respect to claim 24, Zhang discloses the computer program product of claim 17, wherein the XML-formatted information (column 7, lines 36-37) is a user-specified item of music (column 5, lines 13-17).

37. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BLAKE RUBIN whose telephone number is (571)270-3802. The examiner can normally be reached on M-R: 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571) 272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BJR

1/31/08

/Nabil El-Hady, Ph.D, M.B.A./  
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